

BOARD OF SELECTMEN – JULY 15, 2013

I. Call to Order/Roll Call

Chairman Alex Vispoli reconvened the Regular meeting of the Board of Selectmen to order at 7:03 P.M. in the Selectmen's Conference Room at the Town Offices. Present – Roll call: Chairman Alex Vispoli-Y and Selectmen Brian Major-Y, Mary Lyman-Y, Dan Kowalski-Y, and Paul Salafia-Y. Also present: Town Manager Reginald S. Stapczynski and Town Clerk Larry Murphy. The meeting was duly posted and cable-cast live.

II. Executive Session

Chairman Vispoli called the Executive Session to order at 5:32 P.M. in the Selectmen's Conference Room in the Town Offices. On a motion by Paul Salafia and seconded by Dan Kowalski, the Board entered into Executive Session to discuss litigation strategy. Roll call: Selectmen Dan Kowalski-Y, Paul Salafia-Y and Chairman Vispoli-Y. Selectmen Mary Lyman and Brian Major arrived after the meeting opened. At 6:50 P.M. on a motion by Brian Major and seconded by Alex Vispoli, the Board motioned to adjourn from Executive Session to move to Open Session and to return to Executive Session. Roll call: Chairman Alex Vispoli-Y and Selectmen Brian Major-Y, Mary Lyman-Y, Dan Kowalski-Y, and Paul Salafia-Y.

III. Opening Ceremonies

The Chairman asked for a moment of silence followed by the Pledge of Allegiance.

IV. Communications/Announcements/Liaison Reports

The Town Manager said Patrick Keefe, the new Chief of Police, will be officially sworn in on August 1st with a formal swearing in ceremony to be held on Tuesday, August 6th at 5:00 P.M. at the Old Town Hall. A retirement party to recognize retiring Chief Brian Pattullo will be held on August 1st.

The Town Manager also reported that Town Moderator Sheila Doherty has appointed John J. Barry, Jr. to the Finance Committee.

Selectman Vispoli reported on the meeting of the three Chairs held this week. Chapter 70 funds from the State have increased but the Governor has reduced Local Aid so it remains to be seen what the final Budget numbers and funds for Andover will be. The Chairs agreed to schedule three Triboard meetings for the Fall.

V. Citizens Petitions & Presentations

John Pasquale, 47B Whittier Street, inquired about the mobile vending trucks in Town and if Andover is communicating with other area towns about permits, where they can setup, and what the process is. Chairman Vispoli said the mobile food trucks are permitted and there is a process to be followed. Selectman Lyman suggested checking with Public Health Director Tom Carbone and Selectman Salafia suggested asking the EDC to determine if the food trucks are having a detrimental effect on the businesses in Town who pay rent.

VI. Public Hearings

A. Columbia Gas of Massachusetts

Selectman Major motioned to approve the request of Columbia Gas of Massachusetts for permission to excavate for the purpose of replacing and/or extending its gas mains to make the necessary house connections in and along the following public ways: Replace approximately 3,000 feet of existing 6-inch cast iron gas main on Shawsheen Road with 6-inch high pressure HDPE and replace approximately 2,662 feet of 6-inch coated steel gas main on Smithshire Estates with 2,710 of 2-inch high pressure HDPE. The approximate location is shown on Plan #13-16358, dated 5/23/13. This work is being done due to the condition of the existing main and proposed paving by the Town. The request has reviewed and approved by the Department of Public Works subject to the condition that a street opening permit must be obtained from the DPW prior to the commencement of any construction. The motion was seconded by Selectman Lyman and voted 5-0 to approve.

B. National Grid

Selectman Lyman motioned to approve the request of National Grid for permission to construct a line of underground conduits, including the necessary sustaining and protecting fixtures, under and across the following public way: Brady Loop – install 440' of 2"-3" conduits from P-31 Cross Street to MH-1 Brady Loop; install approximately 175' of 1"-3" conduit from MH-1 Brady Loop to existing secondary handhole; install approximately 365' of 2"-3" conduits from MH-3 to MH-4 Brady Loop; and install approximately 440' of 2"-3" conduits from MH-6 to MH-7 Brady Loop. The approximate location is shown on Plan #14913245, dated 7/3/13. The request has reviewed and approved by the Department of Public Works subject to the condition that a street opening permit must be obtained from the DPW prior to the commencement of any construction. The motion was seconded by Selectman Kowalski and voted 5-0 to approve.

VII. Regular Business of the Board

A. Renewal of Downtown Parking Permit Program

On a motion by Selectman Major and seconded by Selectman Lyman, the Board unanimously voted to approve the request of Senior Planner Lisa Schwarz to extend the Downtown Parking Permit Program for a one-year period through August 1, 2014 at a rate of \$50.00 per month subject to the Downtown Employee Parking Permit Program Terms and Conditions.

Economic Development Council (EDC) Update – Tim Vail, 9 Bancroft Road and Chairman of the EDC, reported the Council has been working to create additional parking spaces downtown and have learned from talking with the business community that they need to work more closely with the leadership of the Town to make things happen. Their goal going forward is to increase dialogue and gain the support of the Town officials and local businesses. They have several projects on the agenda and will work with the heads of each Town department involved to improve the process to do business in Andover. Mr. Vail said the EDC would like to ask permission from the Board to allow them to hold an Economic

Summit this Fall to help residents understand why economic development is important to the Town and how it benefits all of us. The Board gave their full support to Mr. Vail and the EDC in the endeavor.

B. AVIS/Town Land Swap

The Board reviewed and signed the deeds and Conservation Restriction related to the exchange of land between the Town and AVIS – AVIS to the Town: off Pettingell Avenue and the Rafton Reservation and the Town to AVIS: Monahan Lane, Heather Drive and land off Andover Street.

Selectman Salafia moved, in accordance with the vote at the 2010 Annual Town Meeting on Article 37 and Chapter 73 of the Acts of 2011, to approve, accept and sign the following documents in order to complete the transfer of land between the Town and the Andover Village Improvement Society (AVIS):

1. Deeds from AVIS to the Town of Andover for land off Pettingell Road and on the westerly side of I-93 (Rafton Reservation);
2. Deed from the Town of Andover to AVIS including 2 lots on Monahan Lane, one lot on Heather Drive and approximately 10.93 acres of land off Andover Street between the MBTA railroad tracks and the Shawsheen River, including a reserved easement to the Town; and
3. Conservation Restriction from AVIS to the Town of Andover, acting by and through the Conservation Commission, on land conveyed to AVIS on Monahan Lane, Heather Drive and off Andover Street.

The motion was seconded by Selectman Lyman and voted 5-0 to approve.

C. Deed and Easements – Crystal Circle

The Board reviewed and signed the deed and easements related to the street acceptance of Crystal Circle approved at the 2013 Annual Town Meeting.

Selectman Salafia moved that the Board of Selectmen accept and sign the following documents in connection with the acceptance of Crystal Circle as a public way:

1. Deed to the fee in the street known as Crystal Circle; 2. Grant of Drainage and Utility Easements to the Town associated with the acceptance of Crystal Circle as a public way; and 3. Grant of Pedestrian Easement to the Town, under the care and custody and control of the Conservation Commission. The motion was seconded by Selectman Lyman and voted 5-0 to approve.

VII. Regular Business of the Board (Cont'd)

D. Town Accountant Subcommittee Report

Selectmen Mary Lyman and Dan Kowalski updated the Board on their recent meeting with outgoing Town Accountant Rod Smith and Finance Director Donna Walsh. They reported they asked the staff to join in the discussion and their participation was very helpful. The Sub-committee explained three different proposals for the Town Accountant's position to consider: 1) stay as is; 2) redirect the function under the direction of the Finance Director; and 3) other, which included: changing the position to an Assistant Finance Director which would also handle Town Accountant functions, creating a new internal auditor position, updating the reporting structure, changing the Town Accountant to a division head position reporting to the Finance Director, etc. The Board discussed various options and specifications for the Town Accountant position while respecting the Town Charter and ensuring the accounting functions and accountability are in place. The options provided will be explored and analyzed and the discussion will be continued at the next meeting of the Board.

E. Town Manager's Evaluation Subcommittee Report

Selectmen Alex Vispoli and Paul Salafia reported they met with the Town Manager last week to review his responses to his goals. It was a very productive, thorough and frank discussion.

The Town Manager distributed his report on the annual accomplishments for FY-13 to the Board providing a status on each goal. The OPEB Report with recommendations and talking points for the September 16th Tri-Board meeting was discussed and included looking at the liability as a fixed cost and affixing a dollar amount to it, asking the auditor for a variety of annual required contributions, developing a formal policy for continuous funding, looking at how the money is invested and considering other alternatives to ICMA. Other areas to focus on to reduce costs include investigating plan design options for health insurance, moving retired teachers from GIC to the Town's plan (this requires a public hearing and could be a long process), lobbying for House Bill 59 to change the retirement groups, have an open and honest discussion with the School Committee about part-time employees who receive health insurance benefits, lobbying our legislative delegation to move benefit eligibility from 20 hours to 30 hours and to also lobby the Retirement Board to change their policy. The Town Manager also talked about the decrease in Town employees compared to the continued increase in School employees and looking at the cost benefits of outsourcing student services vs. providing in-house services. He will also continue to work with all departments in investigating outsourcing Town services and also to work with the PEC Employee Group to make changes to health insurance. Selectman Major suggested they consider forming an OPEB-Benefit subcommittee.

The Town Manager also touched on the discussion regarding the relocation of the Town Yard and how to move forward in FY-14. The consolidation of the DPW and Plant & Facilities Departments is moving forward with the finalization of the job description for a Director of Municipal Services; advertising for the position will begin in early August with

the recruitment of applicants by November-December.

The Town Manager will also continue to implement a Pilot Program to tax non-tax institutions and consider the community benefits they provide in lieu of taxes.

There have been successful discussions with the School Department on the creation of a Town/School Agreement for community use of school facilities. Seasonal usage of school facilities (gyms) in inclement weather over the Summer has been established for DCS and soccer camps. They hope to have a proposal completed by October for use of the facilities during school vacations.

Ballardvale Fire Station Relocation Plan – they are still waiting for direction to proceed. The ambulance service tied to the Ballardvale Fire Station didn't materialize.

Human Resources are working with the staff at the Memorial Hall Library to develop an Employee Evaluation Program. Once the pilot evaluation is completed, it will be replicated in other Town departments.

Status of Collective Bargaining: The Police Superior Officers and Dispatchers have settled, however, the Patrolmen, Firefighters and Department Heads are still in negotiations.

The IT Department has completed a number of projects. They have established a Tech Store, networked all computers to central copy machines, installed monitoring devices, and interactive projectors. In FY-14 they will look at imaging as a service.

Coordination of custodial services for the Town/School has not proceeded as the Schools are not interested in combining services at this time. The Schools are considering implementing a custodial supervisor.

The two major construction projects – Bancroft School and the Cormier Youth Center – are underway.

Comments and questions about the Town Manager's goals should be sent to Selectmen Alex Vispoli and Paul Salafia. A report will be drafted and provided to the Board of Selectmen.

VIII. Consent Agenda

A. Block Party Request

Selectman Lyman motioned to approve the request of Gina Murray, 3 Wescott Road, for permission to block off the end of her street on Saturday, September 21, 2013 from 3:00 P.M. to 8:00 P.M. for a neighborhood block party. The request has been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Major and voted 5-0 to approve.

B. Road Race & Walk

Selectman Lyman motioned to approve the request of Veryl D. Anderson, RN, Executive Director, The Professional Center for Child Development, 32 Osgood Street, Andover, for

permission to conduct the "21st Trot for Special Tots 5K Road Race & Walk" through the streets of Andover on Sunday, October 6, 2013 at 10:00 A.M. beginning and ending at the Center using the same route as in previous years. The request has been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Major and voted 5-0 to approve.

C. Appointments and Re-Appointments

On a motion by Selectman Kowalski and seconded by Selectman Lyman, the Board voted 5-0 to approve the appointments presented by the Town Manager.

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>PLANT & FACILITIES DEPARTMENT – Building Division</u>			
Paul Ouellette	Junior Custodian (v. M. Raymond)	W1-1/\$44,360	7/29/13
<u>COMMUNITY SERVICES</u>			
Benjamin L. Keffer	Lifeguard – PT	C2A/\$8.00/hr.	7/8/13
Eric G. McKnight	EMT Lifeguard – PT	C5A/\$10.25/hr.	7/1/13
Robert A. Carleo	Lifeguard/Instructor – PT	C4A/\$9.50/hr.	7/1/13
Matthew Nussbaum	Lifeguard – PT	C2A/\$8.00/hr.	7/1/13
James C. Nussbaum	Golf Counselor – PT	C2A/\$8.00/hr.	7/1/13
Curren K. Chadha	Concession – PT	C2A/\$8.00/hr.	7/6/13
<u>MEMORIAL HALL LIBRARY</u>			
Sasha Kempster	Library Page – PT (v. J. Darfoor)	L1-1/\$8.00/hr.	7/22/13
Nicholas Wackowski	Library Page – PT (v. G. Kramer)	L1-1/\$8.00/hr.	7/29/13
<u>POLICE DEPARTMENT</u>			
Ryan M. Higgins	Dispatcher (v. D. Bruce)	D1-583-1/\$44,298	7/21/13
<u>CONSERVATION OVERSEER – Term expires 6/30/16</u>			
Ken Meissner – Hammond Reservation			
<u>COUNCIL ON AGING – Term expires 6/30/15</u>			
Mary Garrity Cormier – (v. J. Deso)			

Selectman Salafia moved that the Board of Selectmen approve the annual appointments and re-appointments of Election Officials as presented and recommended by the Town Clerk and further that the Town Clerk may appoint from among them, from time-to-time, such Wardens and Clerks to the various precincts as he deems appropriate. The motion was

seconded by Selectman Lyman and voted 4-01 to approve. Selectman Major abstained.

TOWN CLERK'S OFFICE

Barbara A. Brown	Pollworker – PT	\$8.25/hr.	7/15/13
Lydia Cardin	Pollworker – PT	\$8.25/hr.	7/15/13
David Cleary	Pollworker – PT	\$8.25/hr.	7/15/13
Francine Fuller	Pollworker – PT	\$8.25/hr.	7/15/13
Dolores L. Henry	Pollworker – PT	\$8.25/hr.	7/15/13
Carol J. Hopkins	Pollworker – PT	\$8.25/hr.	7/15/13
Sallie L. LaBarre	Pollworker – PT	\$8.25/hr.	7/15/13
Jennifer Luxa	Pollworker – PT	\$8.25/hr.	7/15/13
Jeanne Normandy	Pollworker – PT	\$8.25/hr.	7/15/13
Nancy Simili	Pollworker – PT	\$8.25/hr.	7/15/13

Mary Jane Bausemer	Pollworker
Champa Bilwakesh	Pollworker
Jeanne P. DeLisio	Pollworker
Camille Ducey-Landwehr	Pollworker
Nancy S. Gump	Pollworker
Barbara MacIntire	Pollworker
Betty Landy	Pollworker
Charlotte Lyons	Pollworker
Ellen T. Marcus	Pollworker
Lillian Palumbo	Pollworker
James J. Redmond	Clerk
Judith T. Reghitto	Warden
Kathleen M. Salvi	Pollworker
Susan A. Schwarz	Pollworker
Marilyn P. Wicker	Pollworker
Sue Bergmeier	Pollworker
Jeanne Fitzgerald	Pollworker
Alan M. Henderson	Pollworker
Carole A. Hill	Pollworker
Patricia A. King	Pollworker
Margaret L. Leber	Pollworker
Joan M. LeMieux	Pollworker
Douglas F. Mitchell	Clerk
Stacia A. Quinn	Pollworker
Walter W. Salvi	Warden
James Sellers	Pollworker
Nancy Vogel	Pollworker
Lora Bate (former Williams)	Pollworker
Rita T. Arsenault	Pollworker

Nancy A. Burnham
Delores J. Cleland
Nancy L. Cronin
Francis A. Drake
Denise S. Doherty
Robert A. Friedenson
Judith Lugas
Melvin Martin
Beverly B. McCabe
Calvin G. Perry
Peter H. Schwind
H. Francis Rittershaus
Cynthia M. Sexton
Susan A. Toth
Constantine Bassilakis
Virginia F. Caswell
Clare M. Doyle
Eleanor A. Everett
Alice E. Friedenson
Pauline M. Malloy
Marcia S. O'Donnell
Elaine M. O'Brien
Cora G. Ozoonian
Kenneth Ozoonian
Julie E. Pike
Celia Rogers
Diane Sandberg
Helen Sellers
Mary D. Barry
Suanne C. Dillman
Maureen A. Finneran
Wendy Cassidy-Grobicki
Charles H. Heseltine
Robert C. Hughes
Phyllis A. Jardine
Mary Ann Jelson
Shirley E. Kountze
Lynn M.R. Landry
Joanne Lepine
Beatrice A. Pfister
Shiva Sheel
David C. Tomlinson
Judith F. Birtles

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Barry Boyce	Pollworker
Janice Burkholder	Pollworker
Dianne E. DeLucia	Pollworker
Alexandra Driscoll	Pollworker
Christine Hayward	Pollworker
Abigail Harris	Pollworker
Margaret Hughes	Pollworker
Nancy A. James	Clerk
W. Robert James	Pollworker
Edith McElman	Pollworker
Marilyn S. Nolan	Pollworker
Pauline M. Robichaud	Pollworker
Doris Rogers	Pollworker
Robert E. Willard	Warden
Maria K. Bartlett	Pollworker
Marian C. Bicking (Molly)	Warden
Elaine Dunaway	Pollworker
Mary Giata	Pollworker
Elizabeth A. Kochakian	Pollworker
Sharon Magnuson	Pollworker
Edward M. Medeiros	Clerk
Dorothy S. Morrissey	Pollworker
Jeanne S. Paskowsky	Pollworker
Alice Pincus	Pollworker
Martha J. Porter	Pollworker
Gail Ralston	Pollworker
Albert R. Retelle	Pollworker
Evelyn A. Retelle	Pollworker
Charlotte Taylor	Pollworker
Priscilla A. Titus	Pollworker
Michael Toth	Pollworker
Joseph Leo Bernard	Pollworker
May R. Bernard	Pollworker
David W. Brown	Clerk
Victoria P. Coderre	Pollworker
Sandra P. Durling	Polworker
Alfred E. Dusey	Pollworker
Suzanne Hornick	Pollworker
Maurice Y. LaBarre Jr.	Warden
Richard Leber	Pollworker
Zeff Marusich	Pollworker
Deborah K. Moskal	Pollworker
Donna J. Onasch	Pollworker

Catherine A. Robie	Pollworker
Anthony J. Sofia	Pollworker
Delia Strobel	Pollworker
Anthony Connors	Pollworker
Paul C. Dow	Warden
Joan A. Dow	Pollworker
Luan M. Giannone	Pollworker
Jane Gifun	Pollworker
Sheila N. Medeiros	Pollworker
Pamela H. Mitchell	Pollworker
Richard G. O'Brien	Clerk
Carolyn Page	Pollworker
John R. Petty	Pollworker
Mildred M. Raymond	Pollworker
Ruth N. Shapiro	Pollworker
Rosemary C. Surette	Pollworker
Randall L. Hanson	Pollworker

IX. Approval of Minutes from Previous Meetings

On a motion by Selectman Lyman, seconded by Selectman Salafia, the Board voted 5-0 to approve the Regular Meeting minutes of June 17, 2013 and Special Meeting minutes of June 24, 2013 as presented.

X. Adjournment

At 9:28 P.M. on a motion by Selectman Major and seconded by Selectman Kowalski, the Board voted 5-0 to move from Open Session to Executive Session to discuss collective bargaining strategy and not to return to Open Session. Roll call: Selectmen Brian Major-Y, Dan Kowalski-Y, and Paul Salafia-Y and Chairman Vispoli-Y. Selectman Lyman left prior to the end of the meeting.

Respectfully submitted,

Dee DeLorenzo
Recording Secretary

Documents: Public Hearing documents from Town Clerks Office for Columbia Gas and National Grid
Street Acceptance documents for Crystal Circle
Land Transfer documents for Town and AVIS
Economic Development Council Priority List,
Downtown Parking Sticker Program Memo from Lisa Schwartz, Senior Planner